2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

15 January 2007

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Summary record of the 4th meeting of Main Committee II
Held at Headquarters, New York, on 24 May 2005, at 3 p.m.

President: Mr. Molnár ..... (Hungary)

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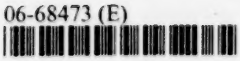

The meeting was called to order at 3.15 p.m.

General debate (*continued*)

1. **Mr. Vohidov** (Uzbekistan), speaking also on behalf of Kazakhstan, Kyrgyzstan, Tajikistan and Turkmenistan, said that, after seven years of negotiations, the countries concerned had reached agreement on a treaty and protocol for the establishment of a Central Asian Nuclear-Weapon-Free Zone which they hoped to sign as soon as possible. The texts, which dealt with the issues of non-proliferation, the environmental consequences of past nuclear activity and the right to use nuclear energy for peaceful purposes, had been inspired by the texts establishing the world's four existing nuclear-weapon-free zones and also reflected new directions in nuclear disarmament and non-proliferation.

2. The Central Asian Nuclear-Weapon-Free Zone Treaty was the first nuclear-weapon-free zone agreement to have been proposed since the opening for signature of the Comprehensive Nuclear Test-Ban Treaty and the adoption of additional protocols to the safeguards agreements with the International Atomic Energy Agency (IAEA). Its potential signatories undertook to support environmental rehabilitation efforts at nuclear-test sites and waste repositories and open the way to international cooperation regarding peaceful uses of nuclear energy to promote the development of the Central Asian States. The States concerned had held official and informal consultations among themselves and with the nuclear-weapon States, and had adhered to the guidelines and recommendations for the establishment of such zones which the Disarmament Commission had adopted in 1999. The Central Asian Nuclear-Weapon-Free Zone would be the first to include territory of a former nuclear-weapon State: Kazakhstan had once housed the world's fourth-largest nuclear arsenal. It would also be composed exclusively of landlocked countries and would be the first such zone in the northern hemisphere, the location of most of the world's nuclear-weapon States.

3. As a result of the request made by the General Assembly in its resolution 52/38S, an expert group including representatives of the Office of Legal Affairs and IAEA had been established to help the five States in question develop a draft treaty to establish a nuclear-weapon-free zone. The Final Document of the 2000 Review Conference and the final report of the Preparatory Committee for the 2005 Review Conference supported the goals of the five Central Asian States, welcomed the practical steps accomplished to bring those goals closer and praised the progress made towards drafting a Treaty. Recalling their working paper on the establishment of a nuclear-weapon-free zone in Central Asia (NPT/CONF.2005/WP.28), the five Central Asian States considered the Zone to be a substantial contribution to strengthening the NPT, combating international terrorism and preventing non-State actors, especially terrorists, from gaining access to nuclear materials and technology.

4. **Mr. de Gonneville** (France) said that France welcomed the proposal to establish a Central Asian Nuclear-Weapon-Free Zone and recalled that the European Union, at a previous meeting of the Committee, had emphasized that the guidelines and recommendations adopted by the Disarmament Commission at its 1999 substantive session must be followed. Accordingly, the establishment of nuclear-weapon-free zones must be discussed with the nuclear-weapon States in order to enable the latter to sign protocols providing the members of such zones with negative security assurances.

5. At the consultations on the initial draft Central Asian Nuclear-Weapon-Free Zone Treaty held at the end of 2002, France, the United Kingdom and the United States of America had expressed concerns which had been reaffirmed in writing at the beginning of 2003. However, no response had been received, and no further consultations had taken place. Moreover, as the new draft of the Treaty which had appeared at the beginning of 2005 had also failed to respond to those views, France, the United Kingdom and the United States of America had informed the Secretary-General in writing that they regarded the consultations as incomplete, that no treaty should be signed until the consultations were complete and that they were ready to resume discussions immediately. The Secretary-General had replied, confirming that he had passed on the information concerned. France, for its part, was still ready to enter into discussions on the proposed treaty.

6. **Mr. Vohidov** (Uzbekistan) said that consultations with the Central Asian States had begun earlier than 2002, with a meeting in Bishkek in 1999. It had been attended by representatives of the nuclear-weapon

States, the United Nations and IAEA. In September 2004, the text of a draft Treaty had been agreed upon in Samarkand, and consultations between experts of the Central Asian States and the nuclear-weapon States had followed in October and December of the same year. The views expressed at the three meetings in question had been taken into account at the consultations held at the beginning of 2003, and the Central Asian States had reflected them in their subsequent work on the draft text. The Central Asian States had adopted a new text at a meeting in Tashkent in February 2005. As he had explained earlier, they had followed the guidelines and recommendations adopted by the Disarmament Commission in 1999 to apply to "arrangements freely arrived at among the States of the region concerned". His delegation would be pleased to provide further clarification if required.

Draft report of Main Committee II

7. **The Chairman**, recalling that the President of the Conference had asked the chairpersons of the three Main Committees and the subsidiary bodies to conclude their deliberations rapidly, said that the aim remained to reach consensus on a brief and concise, but still balanced and comprehensive, outcome.

8. He proposed to invite members to comment on his draft conclusions (NPT/CONF.2005/MC.II/CRP.3), call on the Chairman of subsidiary body 2 to deliver an oral report on his activities and, finally, ask the Committee to take a decision on the final form of its draft report to be submitted to the Conference. He took it that the Committee agreed with that course of action.

9. *It was so decided.*

10. **Mr. Gala López** (Cuba) said that his delegation insisted on a clear reference, in paragraph 1 of the Chairman's draft conclusions, to the Final Document of the 2000 Review Conference. It proposed that paragraphs 3 and 4 should stress that all aspects of preventing proliferation of nuclear weapons must be covered. The final sentence of paragraph 4 should be replaced with the wording found in paragraph 9 of the relevant portion of the Final Document of the 2000 Review Conference. Paragraph 5 should clearly mention international law and respect for the principles of the Charter of the United Nations, and refer not only to the non-proliferation regime, but also to disarmament.

11. In paragraph 6, the verb "reaffirms" should be used in preference to "notes". Cuba shared other delegations' concerns over the wording of paragraph 8, and was opposed to making signature and ratification of additional protocols a further precondition placed on developing countries, as it would restrict their inalienable right to peaceful use of nuclear energy. Recalling the opinion expressed in Cuba's working paper on peaceful uses of nuclear energy (NPT/CONF.2005/WP.25), he pointed out that the wording of paragraph 14 was still extremely controversial, as it failed to take account of the views of a number of Non-Aligned States regarding Security Council resolution 1540 (2004) and export-control regimes based on selective and discriminatory criteria. Moreover, the draft conclusions ignored export control considerations which were included in paragraphs 53 and 54 of the section of the Final Document of the 2000 Review Conference relating to article III and the fourth and fifth preambular paragraphs of the NPT. Paragraph 15 should include the phrase "without discrimination". The reference in paragraph 18 to the need to reach agreement on amendments to strengthen the Convention should be replaced by wording reflecting the need to reach consensus on such amendments.

12. **Ms. Hussain** (Malaysia) said that her delegation — and the rest of the Non-Aligned Movement — saw the outcomes of the previous review conferences, particularly those of 1995 and 2000, as an important point of reference. They should therefore be recalled and reaffirmed in paragraphs 1 and 2 of the Chairman's draft conclusions. Paragraphs 4 and 5 of the draft, meanwhile, should reaffirm the role of IAEA as the only verification body which was entitled to find a State party to be failing to comply with its NPT and safeguards commitments. In paragraph 7, the reference to "significant nuclear activities" should be replaced by "proliferation-sensitive nuclear activities", which better defined the problem in question. The reference to "technologies" in paragraph 8 of the Chairman's draft conclusions should be deleted, as it exceeded the scope of article III, paragraph 2, of the NPT.

13. Paragraph 11 should call upon the nuclear-weapon States parties to respect fully their obligations under article I of the NPT; moreover, the second part of the paragraph should be deleted and replaced, so that it read: "... should be universally applied. This arrangement is to be set forth in an agreement to be

negotiated and concluded with the IAEA, in accordance with the Statute of the IAEA and the IAEA safeguards system." That amendment would ensure that the obligation to respect the NPT fell equally on nuclear-weapon States and non-nuclear-weapon States. Paragraph 14 should acknowledge the need for international export-control regimes to be transparent, multilaterally negotiated, universal, comprehensive and non-discriminatory and to place no restrictions on access to material, equipment and technology which developing countries required for peaceful purposes for the sake of their continued development.

14. Paragraph 20 should not simply note the proposal for a nuclear-weapon-free zone in the Middle East, but express support for it; back Mongolia's nuclear-weapon-free status; and urge nuclear-weapon States to become parties to the protocol of the South-East Asian nuclear-weapon-free zone treaty. Paragraph 22 should incorporate the Non-Aligned Movement's call, contained in NPT/CONF.2005/WP.19, for the establishment of a Standing Committee composed of members of the Bureau of the Conference to follow up intersessionally the implementation of the recommendations concerning the Middle East, in particular Israel's prompt accession to the NPT and the placement of all its nuclear facilities under comprehensive IAEA safeguards, and report to the 2010 Review Conference and its Preparatory Committee.

15. **Mr. Wilke** (Netherlands) said that his delegation shared and supported the views on paragraphs 7 and 8 of the Chairman's draft conclusions already expressed by the representatives of Australia and Japan. In connection with paragraph 22, and recalling that the Netherlands had put forward a working paper on an enhanced, strengthened review process for the Treaty (NPT/CONF.2005/WP.51), he proposed that a sentence should be added to indicate the potential role of the Preparatory Committee: "The Conference recognized that nothing in the Treaty precludes the Preparatory Committee adopting consensus decisions on matters of urgent concern relating to the authority, integrity or implementation of the Treaty."

16. **Mr. Papaolimitropoulos** (Greece) said that his delegation concurred with the views expressed on the previous day by the representatives of Australia and Japan, particularly regarding paragraph 8 of the Chairman's draft conclusions. The importance of the additional protocols to safeguards agreements could not be overstated. They made it possible for IAEA to give credible assurances that a given State had no undeclared nuclear activities. As the political environment had changed substantially since the 2000 Review Conference, the safeguards regime — a technical instrument which served a political purpose — must be strengthened.

17. Greece favoured adding a reference to the Zangger Committee to the end of paragraph 14, as one quarter of the NPT States parties were members of it, and its promotion of transparency regarding implementation of the commitments made under article III, paragraph 2, of the NPT, deserved to be highlighted and welcomed. Paragraph 17 should quote the full name of the International Convention for the Suppression of Acts of Nuclear Terrorism. With regard to the approach to amendments in paragraph 18, the view of his delegation differed from that of the delegation of Cuba: the aim was clearly to strengthen the Convention on the Physical Protection of Nuclear Material. The wording of paragraph 22 was appropriate, being a realistic view of what the review process could achieve, but his delegation urged that it should refer to all the preparations for the 2010 Review Conference, including its agenda.

18. **Mr. Semmel** (United States of America) said that the Chairman's draft conclusions were appropriate and succinct, but a glaring omission had occurred in the form of a failure to refer to numerous regional issues; that omission must be corrected, as to do otherwise would be to ignore the intense interest in the situation in such countries as the Islamic Republic of Iran, the Libyan Arab Jamahiriya and the Democratic People's Republic of Korea and in the question of universality of the NPT.

19. In paragraph 2 of the Chairman's draft conclusions, his delegation wished to see added, after the reference to article III, the words "can, to the extent that they remain relevant", on the grounds that not all of the conclusions of previous review conferences remained relevant. It favoured deleting paragraph 11 in order to make the draft conclusions briefer; alternatively, the wording of that paragraph should be altered, as it was neither practical nor economically feasible to broaden the application of safeguards in nuclear-weapon States without a substantial increase in the IAEA budget. Some years previously, IAEA had opted not to apply safeguards to the 104 power plants in the United States of America because of the cost

involved, although the United States authorities in fact paid it for verification work at those plants. Moreover, the current wording echoed wording used at the 2000 Review Conference to no avail.

20. His delegation thought it superfluous for paragraph 22 to refer to a further review conference, as the 1995 Review and Extension Conference had already decided to hold such events every five years. It would also be inappropriate for that paragraph to suggest full agreement on any institutional matters, such as the possibility of establishing a Standing Committee composed of members of the Bureau; it should refer instead to proposals by "some States parties". There was no need to change the review process suggested in that paragraph, as the Final Document of the 2000 Review Conference had already updated the 1995 Review and Extension Conference decision on strengthened review arrangements and governed all subsequent reviews. Although some Parties wished to negotiate more recommendations for the next review conference, past experience had shown that such an exercise was of little value to the Preparatory Committee phase. Lastly, his delegation disagreed with paragraph 23, on the grounds that the current level of participation of intergovernmental and non-governmental organizations was sufficient.

21. **Ms. Martinic** (Argentina) said that, in connection with paragraphs 8 and 9 of the Chairman's draft conclusions, her delegation supported the principle of universalizing the additional protocols to the safeguards agreements with IAEA. The additional protocols must be suitably implemented, but should be considered a confidence-building measure and one factor in the decision to supply technology and material, rather than a condition of that supply. Legitimate nuclear trade should be unaffected. The many countries without additional protocols must not be marginalized by the international system or considered to be failing to fulfil their non-proliferation commitments. With regard to paragraph 14 and Security Council resolution 1540 (2004), it must be remembered that approval was unanimous, as the Security Council voted on all its resolutions, rather than working by consensus. Finally, as the proposed amendments to strengthen the Convention on the Physical Protection of Nuclear Material referred to in paragraph 18 had so far not gathered a consensus, perhaps the word "proposed" should be deleted.

22. **Mr. Kuchinov** (Russian Federation) said that paragraph 5 should end directly after the phrase "safeguards issues"; his delegation could not see what other verification issues could be relevant to the NPT. As paragraph 7 related to non-nuclear-weapon States, the two references to "all States" should instead read "all non-nuclear-weapon States". However, a better solution would be to delete paragraphs 7 and 8, which reflected the current divergences of view among the States parties rather than the required consensus. His delegation agreed in principle with the United States proposal to delete paragraph 11 for the sake of brevity, but not with the suggested alternative of amending its wording. Paragraph 13 should clarify where fuel from research reactors was to be taken from and sent to. His delegation volunteered to propose specific wording in that regard. His delegation had doubts about referring, in paragraph 22, to the Bureau and other structures; it believed that paragraph 22 should end with the phrase "2005 Review Conference".

23. **Mr. Lew** Kwang-chul (Republic of Korea) said that his delegation proposed that paragraph 3 should refer to "compliance with" rather than "respect of". In paragraph 4, a reference to the role and mandates of the Security Council should be added to recognize the part the Security Council played in maintaining international peace and security and in dealing with cases of non-compliance and withdrawal. To make paragraph 8 logically more relevant, the words "and additional protocol" should be added after the phrase "comprehensive safeguards agreement"; the former was a strengthened form of the latter. His delegation supported the view expressed earlier by the representative of Japan that paragraph 14 should recognize the important role of the Zangger Committee and the Nuclear Suppliers Group. In connection with paragraph 22, his delegation, like many others, supported the concept of a Standing Committee composed of Bureau members; however, it should be made more explicit that the individuals concerned should be members of the Bureau of the 2005 Review Conference.

24. **Mr. Al Hadj Ali** (Algeria) said that the overall concerns of his delegation had been incorporated in the paper presented by the Non-Aligned States (NPT/CONF.2005/WP.19). Paragraphs 1 and 2 should refer back to the 1995 Review and Extension Conference and to the 2000 Review Conference. Paragraph 5 should emphasize the unique role of IAEA

in the multilateral mechanism. His delegation could not endorse the conditions, referred to in paragraph 8, which related to the additional protocols. Paragraph 20 should refer to the proposal for a nuclear-weapon-free zone in the Middle East.

25. **Mr. Mourão** (Brazil) said that paragraph 1 of the Chairman's draft conclusions should reflect the outcomes of all previous discussions. Paragraph 4 should be more precise, and refer not to "challenges", but to "cases of non-compliance"; furthermore, the distinct mandates of IAEA and the Security Council should be expressed in clearer terms, as two separate matters were at issue: the first was compliance with the NPT; the second was compliance with safeguards agreements. Paragraph 5 should refer not simply to "disarmament" but to "nuclear disarmament", and use "non-proliferation regime" in the singular rather than the plural. Its assertion about the relationship between IAEA and the NPT should be checked for accuracy. Paragraph 6 should refer to the diversion of nuclear material rather than nuclear energy. His delegation favoured deletion of paragraph 7, as it was not convinced that the additional protocols were an integral part of the IAEA safeguards system. In any event, if the paragraph was retained at the wish of the Conference, it should encourage all States, whether or not they engaged in significant nuclear activities, to sign additional protocols. Similarly, paragraph 8 should be rephrased or deleted. The importance of the content of paragraph 15 justified moving it to earlier in the text, perhaps to the place currently occupied by paragraph 5.

26. **Mr. de Gonneville** (France) said that the references in paragraph 7 to the importance of additional protocols were very well worded and worthy of support. His delegation shared the concerns already expressed by a number of delegations regarding the second part of paragraph 11, which was ambiguous, and suggested that universalization of the additional protocols and the safeguards system in general might in some way be used as a condition. Like other delegations, his own doubted that the wording regarding a permanent Bureau in paragraph 22 would gather a consensus. His delegation favoured wording paragraph 23 in a way which reflected the balance struck at the 2000 Review Conference and at the third session of the Preparatory Committee for the current Conference held in 2004. Finally, it shared the view that paragraph 24 lacked clarity and risked causing bureaucratic aberrations. It would be enough for it to state the main aim: encouraging States parties to communicate and exchange information.

27. **Mr. Walsh** (Canada) said that his delegation had made written comments to the Chairman regarding institutional issues. However, it would like clarification on the part of the Chairman's draft conclusions devoted to safeguards. A number of comments made at the current and previous meetings indicated possible confusion among delegations as to the link between comprehensive safeguard agreements and additional protocols thereto.

28. His delegation took the view that an essential part of the reasoning on that issue was missing and could be supplied by replacing paragraph 7 of the Chairman's draft conclusions with the wording of paragraph 17 of the section of Part I of the Final Document of the 2000 Review Conference which dealt with article III and the fourth and fifth preambular paragraphs of the NPT. That wording, which reaffirmed the role of IAEA in verifying that States' declarations of their activities were correct and complete, should then be supplemented by a sentence reading: "In this regard, the Conference recognizes the importance of the additional protocol as an integral part of the IAEA safeguards system." Finally, the last section of the new paragraph 7 should state: "The Conference notes that a comprehensive safeguards agreement, together with an additional protocol, represents the verification standard pursuant to article III, paragraph 1, of the Treaty".

29. His delegation also wished to point out that the 2000 Review Conference, in agreed language, had noted that the measures contained in the additional protocols were being introduced as an integral part of the IAEA safeguards system. It was appropriate, five years later, for the current Conference to recognize the importance of the additional protocols.

30. His delegation supported the proposal made by other delegations to move paragraph 8 and read it in conjunction with paragraph 14, and also favoured replacing the existing paragraph 8 with wording indicating that the Conference called on all States parties, particularly those with significant nuclear activities, to conclude and bring into force a comprehensive safeguards agreement and additional protocol without delay.

31. **Mr. Rudischhauser** (Germany), expressing his delegation's agreement with the views expressed on

behalf of the European Union and by Australia, Canada, Greece, Japan and the Netherlands, regarding paragraph 7 of the Chairman's draft conclusions, said that he wished to make a small number of additional proposals. His delegation favoured adding to the first sentence of paragraph 4 a phrase pointing out the serious nuclear proliferation events that had taken place since the 2000 Review Conference. The end of paragraph 5 should refer to the role of the Security Council as the final arbiter of appropriate action in the event of non-compliance with the NPT, as described in the report to the Secretary-General of the High-level Panel on Threats, Challenges and Change (A/59/565). His delegation supported the proposal of Brazil to replace "nuclear energy" with "nuclear material and technology". Again in accordance with the proposals of the High-level Panel, paragraph 7 should refer to the need for the IAEA Board of Governors to adopt a resolution making the additional protocols the new verification standard. In line with implementation reports issued in recent years by IAEA, reference should also be made to that organization's new philosophy of taking a State-by-State approach to examining implementation of safeguards. Paragraph 14, in addition to welcoming the adoption of Security Council resolution 1540 (2004), should welcome the obligations contained in the text.

32. **Mr. Atieh** (Syrian Arab Republic) said that his delegation wished to refer to the working paper of the Non-Aligned Movement (NPT/CONF.2005/WP.19), which addressed its main concerns, and to express support for the positions and proposals expressed by the representatives of Cuba, Egypt and Malaysia, particularly with regard to paragraphs 14 and 22 of the Chairman's draft conclusions. It would like to see, in paragraph 20, a reference to the proposal for a nuclear-weapon-free zone in the Middle East, as such a measure would contribute greatly to international and regional peace and security.

33. **Mr. Combrink** (South Africa) said that the Preparatory Committee for the 2010 Review Conference would be called upon to consider ways to promote the universality and full implementation of the NPT and make recommendations, by consensus, in that regard. Each of its sessions should consider specific issues, such as the 1995 Review and Extension Conference decisions 1 and 2 and resolution on the Middle East, as well as the outcomes of all previous review conferences. Civil society should have a greater role in the Preparatory Committee and the Review Conference, with duly accredited non-governmental organizations able to attend and address all public meetings of both bodies and have access to documents in cases permitted by the rules of procedure.

34. **Ms. Bridge** (New Zealand) said that her delegation supported the statement made by the representative of Japan during the general debate. It had specific comments only on two sections of the Chairman's draft conclusions. First, it found the reference in paragraph 7 to the additional protocols to be too weak and not an accurate reflection of the view that they should constitute a verification standard. Furthermore, "several States" should be replaced with "many States" in order to indicate how widespread the support for that view was. The proposal just made by the representative of Canada was a constructive solution. Second, paragraph 14 seemed to deal too briefly with the important matter of export controls. Like several others, her delegation favoured transferring the content of paragraph 8 to paragraph 14, and adding a reference to the work of the Zangger Committee and the Nuclear Suppliers Group.

35. **Mr. Kviele** (Sweden) said that his delegation wished to reiterate and support the emphasis placed by the Group of Ten and the European Union on additional protocols and export controls. While it recognized that all delegations must show flexibility in order to achieve consensus, it felt that paragraph 7 of the draft conclusions failed to reflect the strength of feeling expressed by many delegations. It supported the wording suggested by the representative of Canada. Like the representative of New Zealand, he wished to point out that the role of export controls, which offered States parties to the NPT a way to fulfil their non-proliferation commitments, was not emphasized sufficiently in paragraph 14. In particular, the reference to Security Council resolution 1540 (2004) should be followed by "which places a binding obligation upon all United Nations Member States to have in place national export controls". Furthermore, explicit references should be made in the same paragraph to the Zangger Committee and the Nuclear Suppliers Group, which provided a framework for national export controls.

36. **Mr. Meric** (Turkey) said that the Chairman's draft conclusions, while brief and comprehensive, could be improved. His delegation favoured reversing the sequence of the references to IAEA and the

Security Council in paragraph 4. In addition, as it and a large number of other delegations considered additional protocols to be a verification standard and a condition for supply, paragraphs 7 and 8 should refer to "many States" rather than "several States". Also in common with others, his delegation believed that paragraph 14 should mention explicitly the work of the Zangger Committee and the Nuclear Suppliers Group.

37. **Ms. Göstl** (Austria) said that her delegation agreed with the many delegations which had deemed article 7 to be too weak a reference to the additional protocols and supported the proposal of the representative of Canada in that connection. In article 6, the phrase "diversion of nuclear energy" could be retained, as it appeared in the NPT. Like others, her delegation believed that the important issue of export controls was not dealt with in sufficient depth, and that paragraph 14 should refer to the Zangger Committee and the Nuclear Suppliers Group. It would also like to see the following wording added to that paragraph: "The Conference particularly invites States to adopt the understandings of the Zangger Committee in connection with any nuclear cooperation with non-nuclear-weapon States not party to the Treaty. The Conference also recommends that the list of items triggering IAEA safeguards and the procedures for implementation in accordance with article III, paragraph 2, be reviewed from time to time to take into account advances in technology, proliferation sensitivity and changes in procurement practices".

38. **Mr. Klucký** (Czech Republic), associating his delegation with the views expressed on behalf of the European Union and the Group of Ten, and recalling its own position on the additional protocols and export controls, explained in Main Committee III, said that paragraph 7 of the Chairman's draft conclusions should reflect the role of the additional protocols as a verification standard with regard to article III, paragraph 1, of the NPT, and as a condition of supply. His delegation also suggested inserting the current paragraph 8 after paragraph 14 for the sake of consistency. Paragraph 14 itself should be strengthened in line with the suggestions already expressed in that regard.

39. **Mr. Freeman** (United Kingdom) said that his delegation shared the view of many others that the additional protocols should be the current verification standard and a condition of supply; accordingly, paragraphs 7 and 8 should be strengthened, along the lines of the proposal made by the representative of Canada. It also supported the proposal of the delegation of France to delete the last part of paragraph 11, to make it clear that the universal application of comprehensive safeguards and additional protocols was a goal independent of the complete elimination of nuclear weapons. It joined previous speakers in requesting that paragraph 14 should refer to the Zangger Committee and the Nuclear Suppliers Group.

40. **Mr. Naziri Asl** (Islamic Republic of Iran), recalling the comments he had made the previous day regarding the Committee's approach to the Chairman's draft conclusions, and associating his delegation with the comments made by the representative of Malaysia on behalf of the Non-Aligned Movement, said that the role of IAEA as the competent authority should be confirmed by retaining the wording established at the 2000 Review Conference.

41. Noting the lack of consensus regarding paragraphs 7 and 8, his delegation favoured their deletion. As previous review conferences had called upon nuclear-weapon States to fulfil their obligations, paragraph 11 of the Chairman's draft conclusions should be unambiguous regarding such expectations; its wording should remain in line with the Final Document of the 2000 Review Conference. His delegation maintained its previous position regarding export controls, which coincided with that of the Non-Aligned Movement. Again, it favoured using language contained in the Final Document of the 2000 Review Conference. The 48th IAEA General Conference had extensively discussed the Global Threat Reduction Initiative, resulting in much division but some agreed language. Perhaps the best approach in the current case was to delete the related reference in the Chairman's draft. His delegation supported the proposal of the Non-Aligned Movement regarding the establishment of a Standing Committee composed of members of the Bureau of the Conference.

42. **Mr. Costea** (Romania) said that the wording of paragraph 3 would benefit from referring to developments since the 2000 Review Conference, which was the point of reference for the current discussions. His delegation supported the amendments to paragraph 7 proposed by the representative of Canada. The reference to the Global Threat Reduction Initiative in paragraph 13 should remain, as the Initiative could make a substantial contribution to non-proliferation efforts. Paragraph 14 should refer to

the unanimous adoption of Security Council resolution 1540 (2004), particularly as the resolution had been widely recognized as efficient in closing some of the loopholes in non-proliferation legislation.

43. **Mr. Nguyen** (Viet Nam), associating his delegation with the views expressed by the representative of Malaysia on behalf of the Non-Aligned Movement, said that paragraphs 1 and 2 should distinguish clearly between the outcome of the 1995 Review and Extension Conference and the outcome of the 2000 Review Conference. The final sentence of paragraph 4 should refer only to IAEA, and to no other body. His delegation supported the deletions from paragraphs 7 and 8 proposed by a number of delegations.

44. **Ms. Poulsen** (Denmark), supported by **Mr. Baldi** (Italy), and associating her delegation with the views expressed by the representative of Luxembourg on behalf of the European Union and by the Group of Ten, said that the Chairman's draft conclusions should acknowledge the status of the additional protocols as a verification standard for safeguards and as a condition of supply of nuclear material. With regard to export controls, her delegation wished the draft conclusions to include a reference to the Zangger Committee and the Nuclear Suppliers Group.

45. **Ms. Majali** (Jordan), associating her delegation with the views expressed by the representative of Malaysia on behalf of the Non-Aligned Movement, said that she wished to remind the Committee that the Non-Aligned Movement numbered over 100 States. Accordingly, in cases where paragraphs of the draft conclusions referred to a position supported by many States, it should be remembered that a proposal by a group of States also signified substantial support.

46. **Mr. Nuñez Garcia-Sauco** (Spain), Chairman of subsidiary body 2, said that, as subsidiary body 2 had unfortunately been unable to reach consensus on his proposals, he intended to transmit to the Committee a conference room paper, established under his own responsibility, providing an account of the status of negotiations within that body, with the entire text remaining bracketed.

47. **The Chairman** said that, if he heard no objection, he would take it that the Committee wished to take note of the report of the Chairman of subsidiary body 2.

48. *It was so decided.*

49. **Mr. Naziri Asl** (Islamic Republic of Iran) said that he assumed that all issues which had failed to gather a consensus would appear as bracketed text in the Committee's draft report.

50. **The Chairman**, recalling that the Committee had yet to take a decision on the final form of its report to the Conference, suggested that the meeting should be suspended so that the delegations could familiarize themselves with the draft report.

The meeting was suspended at 4.55 p.m. and resumed at 5.35 p.m.

51. **The Chairman** said that consensus on the draft report seemed unlikely, regardless of its content. However, as agenda item 18, "reports of the Main Committees", called for reports to be submitted to the Conference, a decision must be made. In his own view, which was supported by the President of the Conference, the Committee had two options. The first option was to agree that, despite the absence of consensus regarding some portions of the draft report, the Chairman's draft conclusions provided a good basis for further consultation and should therefore be transmitted to the Conference. The second option was to omit the Chairman's draft conclusions altogether from the draft report to the Conference. He recalled that the outcomes of the Main Committee deliberations at the 2000 Review Conference had varied. While Main Committee III had transmitted complete text for inclusion in the Final Declaration of the 2000 Review Conference, Main Committees I and II had produced texts that, while only partially agreed on, were considered valuable contributions to further discussion. Accordingly, Main Committee I had decided to transmit to the Conference its Chairman's working paper as it stood, with no indication of agreed or disputed language; and Main Committee II had decided to transmit the text proposed by its Chairman, but with disputed wording highlighted in boldface type.

52. **Mr. Bichler** (Luxembourg), speaking on behalf of the European Union, supported by **Ms. Bridge** (New Zealand), **Mr. Costea** (Romania), **Mr. Lew** Kwang-chul (Republic of Korea), **Ms. Martinic** (Argentina), **Mr. Meric** (Turkey), **Mr. Mourão** (Brazil), **Mr. Nakane** (Japan), **Mr. Raytchev** (Bulgaria), **Mr. Semmel** (United States of America), **Mr. Smith** (Australia) and **Mr. Walsh** (Canada), said that he supported the first option proposed by the Chairman, as

the Chairman's draft conclusions provided a good basis for further discussion.

53. **Mr. Shamaa** (Egypt), supported by **Mr. Al Hadj Ali** (Algeria), **Mr. Al-Otaibi** (Saudi Arabia), **Mr. Elmessallati** (Libyan Arab Jamahiriya), **Ms. Majali** (Jordan), **Mr. Naziri Asl** (Islamic Republic of Iran), **Mr. Nguyen** (Viet Nam) and **Ms. Notutela** (South Africa), said that he supported the second option proposed by the Chairman, as the delegations were still far from consensus and time was running out.

54. **Ms. Hussain** (Malaysia) said that the Committee should perhaps consider an option halfway between the two suggested by the Chairman: omit the Chairman's draft conclusions from its draft report, but continue informal consultations to try and achieve consensus in the two days remaining before the end of the session.

55. **Mr. Wilke** (Netherlands) said that, as there was no consensus in the Committee over either of the options suggested by the Chairman, the suggestion of the representative of Malaysia might be the obvious choice. If any text was appended to the draft report, it would not be the text contained in document NPT/CONF.2005/MC.II/CRP.3.

56. **The Chairman** said that, because the Committee had exhausted all the meeting time allocated to it, no further informal consultations were possible, and a decision must be made on whether or not to submit to the Conference a draft report that was no more than a technical and procedural account. He took it that the Committee wished to adopt a decision on that matter reading as follows:

> "The Committee decides that there is no consensus on a text to attach to its report to submit to the Plenary for further consideration."

57. *It was so decided.*

58. **Mr. Nakane** (Japan) said that his delegation was concerned about the consequences of the decision the Committee had just taken. Recalling the Chairman's account of the solutions adopted at the 2000 Review Conference by Main Committees I and II, which had transmitted texts to the plenary of the Conference for further consideration, it wished to know what legal basis the plenary had used to justify further discussion of those texts.

59. **Mr. Freeman** (United Kingdom) asked whether the Committee could recommend or request an extension of its mandate and meeting time.

60. **The Chairman** said that, as his own mandate as Chairman of Main Committee II was about to expire, the decision as to what action to take on the Committee's draft report rested with the plenary, which could do as it wished.

61. **Mr. Semmel** (United States of America) said that a number of working papers which his delegation had submitted did not appear on the list of documents considered by the Committee. He hoped that the list would be updated to include them.

62. **Mr. Gala López** (Cuba) said that the working paper on peaceful uses of nuclear energy (NPT/CONF.2005/MC.II/WP.25) which his delegation had submitted was also not listed.

63. **The Chairman**, confirming that the list of documents considered would be updated, said he took it that the members of the Committee wished to conclude their work by adopting the draft report but not attaching to it the working paper containing the Chairman's draft conclusions (NPT/CONF.2005/MC.II/CRP.3).

64. *It was so decided.*

The meeting rose at 6.20 p.m.